

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN STEVE VICK**, on February 19, 2001 at 3:00 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Rep. Dave Lewis, Vice Chairman (R)
Rep. Matt McCann, Vice Chairman (D)
Rep. John Brueggeman (R)
Rep. Rosalie (Rosie) Buzzas (D)
Rep. Tim Callahan (D)
Rep. Edith Clark (R)
Rep. Bob Davies (R)
Rep. Stanley Fisher (R)
Rep. Dick Haines (R)
Rep. Joey Jayne (D)
Rep. Dave Kasten (R)
Rep. Christine Kaufmann (D)
Rep. Monica Lindeen (D)
Rep. Jeff Pattison (R)
Rep. Art Peterson (R)
Rep. Joe Tropila (D)
Rep. John Witt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Paula Broadhurst, Committee Secretary
Taryn Purdy, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 536, 2/16/2001
Executive Action: HB 214 HB 48

HEARING ON HB 536

SPONSOR: Roger Sommerville, HD 78, Kalispell

PROPONENTS: Beth Kennedy, Gifted Students, Missoula; Toba Winston, Gifted Students, Stevensville; Sandi Olsen, Montana Association of Gifted and Talented Education, INC; Kathie Bailey Association of Gifted and Talented Education, Gifted Students; Beta Lovitt, Association of Gifted and Talented Education; Kassie Kallin, Gifted and Talented Student; Jessica Reynolds, Gifted and Talented Student; Connie Wax, Gifted Students, Stevensville; Mark Wax, Gifted Students, Stevensville; Erik Burke, Montana Education Association, Montana Federation of Teachers; Brenda Nordlund, Gifted Students; Rob Olsen, Gifted Students; Bill Olsen, Gifted Students; Bill Cooper, Office of Public Instruction

OPPONENTS: None.

INFORMATIONAL WITNESS: None.

OPENING STATEMENT BY SPONSOR:

Rep. Roger Sommerville, HD 78, Kalispell, introduced HB 536 dealing with the Gifted and Talented Education Program.

PROPONENTS:

Beta Lovitt, Association of Gifted and Talented Education, stated she was standing in for the President of AGATE, Vivian Taylor, and also as a parent of a gifted child. She spoke for Vivian Taylor and passed out information from her. **EXHIBIT(aph41a01)**

Sandi Olsen, Legislative Chair for Association of Gifted and Talented Education, stated that gifted and talented students represent about 12 to 15% of the student population and mirror the special education population in terms of complexity and diversity of ability, and diversity of social, economic and cultural background. She stated that "one size fits all" curriculum does not fit either group. She stated that by funding this important prevention tool to appropriately educating the high ability, high potential students in the classroom, there will be fewer children lost and it will reduce the overall cost and need for programs such as the Youth Challenge Program.

{Tape : 1; Side : A; Approx. Time Counter : 15.4}

Brenda Nordlund, Trustee Helena School District #1, stated she is a parent of two gifted and talented children. She talked about

how, as a trustee, she has had to cut gifted services for K-8 students. As a parent it breaks her heart, and that they need help at the state level to promote gifted children.

Beth Kennedy, Gifted Education Teacher from Missoula, brought a visual aid for the committee and explained the grading of IQ scores, where the gifted and talented students are on the charts compared to other children, including special education students. She went on to explain how important the gifted program is to these special students and the potential never reached would not be known.

Kathie Bailey, Montana Association of Gifted and Talented Education, spoke in support of HB 536 and spoke of the gifted and talented students in Corvallis, and how teachers in the State of Montana do not have the means to teach these students.

EXHIBIT (aph41a02)

Toba Winston, President, Partners for the Enhanced Education of All Kids, spoke in support of HB 536 as a parent of a gifted and talented student. She spoke about the goals of PEEAK and went on to tell the story of her daughter and presented the committee with a letter she had written to the members. **EXHIBIT (aph41a03)**
EXHIBIT (aph41a04)

{Tape : 1; Side : A; Approx. Time Counter : 26.4}

Mark Wax, 7th Grade Student, Corvallis, talked of how he transferred to Corvallis because they offer more curriculum for gifted students. He commented that teachers do not have the training to meet the gifted and talented students needs.

EXHIBIT (aph41a05)

Jessica Reynolds, Gifted Student, spoke that she is a student who has been through the gifted and talented programs in Montana. She stated how vitally important these programs are.

Kassie Kallin, Gifted Student, stated that she has experienced the positive effects of offering these programs to students like herself and has also experienced the negative effects from budget cuts to the programs.

Bill Cooper, Office of Public Instruction, stated that the larger school districts are able to allocate the resources to assist the needs of gifted students while the smaller school districts have more troubles meeting these needs. With budget cuts even the larger school districts are having to make cuts in their gifted and talented programs. He also commented that if HB 536 is approved by the Legislature, his office will dedicate the

services and workload of one full-time employee to make sure that resources get out to the schools, and the money gets distributed to the schools, and workshops on site will have the teachers assigned who have more knowledge of the gifted and talented programs.

Erik Burke, Montana Education Association, Montana Federation of Teachers, stated, they support HB 536 and they haven't been able to serve these students' needs because of budget cuts. He stated that Bob Vogel with the Montana School Board Association also sends support.

Bruce Stockland, Board of Public Education, stood in support of HB 536.

Rep. Joe Tropila, HD 47, Great Falls, stood in support of HB 536 and went on to explain since he grew up with gifted and talented students, then raised gifted and talented students, is why he feels so strongly about this program.

Rep. Rosalie Buzzas, HD 65, Missoula, stood in support of HB 536 and stated that there is no federal mandate to fund gifted and talented education. She went on to explain how serving as a School Board Member in Missoula, she saw these programs slowly erode away because of budget cuts.

{Tape : 1; Side : B; Approx. Time Counter : 13.7}

OPPONENTS: None.

INFORMATIONAL WITNESS: None.

QUESTIONS FROM THE COMMITTEE MEMBERS AND RESPONSES:

Rep. Lewis asked how many gifted and talented students are currently in the Corvallis School System.

Kathie Bailey answered that she could not give an exact number but that it is between 13-15% of the student population in Corvallis which consists of 1350 students.

Rep. Lewis then asked if, roughly calculated, that it would equal about 150 students at \$20 a year, this is \$3000 dollars a year in her school district. What do they do with \$3000 dollars to make any difference in the gifted and talented program.

Kathie Bailey stated that what they receive from the grant is \$1280 plus dollars. They have a half-time teacher at the primary

and one full time at the middle school, and they have an Academic Dean and gifted teacher.

Rep. Lewis asked, in her mind, what can be done with \$3000.

Kathie Bailey answered that they would hire an aide to help out once a week or so. They use the money very carefully because there is so little of it, and they would like to hire teachers who have background in teaching gifted and talented students.

Rep. Davies commented that back when he was in school and his children were, they would advance the gifted students up to the next level they needed to be at, and was wondering why that is still not common practice, or why it is necessary to have these special programs.

Rep. Sommerville responded that the Montana Constitution states that the goal is to establish a system of education which will develop the full education potential of each person, and with this gifted and talented program they are able to get the students off to the college level and an advanced education, but that it is tough through the beginning grades K-8, where these programs need to be focused.

Michael Hull, Office of Public Instruction, commented that he used to be the former specialist for the gifted and talented in Montana. He stated that grade skipping of students still happens in schools, but is done very cautiously because while it is appropriate for some students to go ahead in all academic areas, most gifted and talented students aren't strong in every single area, and not ready to face those challenges.

{Tape : 2; Side : A; Approx. Time Counter : 26.2}

Rep. Kasten asked Jessica Reynolds what she is doing now with her life.

Jessica Reynolds answered that she is a Junior at Helena High School and is currently enrolled in advance placement in honors courses and participates in debate.

Rep. Haines asked if OPI could estimate how many gifted and talented students are out there in grades K-12.

Michael Hull stated that the studies and research indicate about 10-15%.

Rep. Haines asked if there was any idea what those numbers would equate to in the State of Montana.

Michael Hull answered around 13-16,000 students.

Rep. Haines asked what kind of numbers are there in the special education field.

Michael Hull answered that they serve approximately 12% of the student population in Montana.

Rep. Haines commented that these numbers are about the same on both ends of the scale and was wondering why OPI hasn't made a stronger effort to balance the funding out between both ends of the scale.

Michael Hull answered that he cannot speak for the Department on that issue but that every session he has been in office, the department has asked for special funding for these programs.

Rep. Haines commented that if you look at the figures on both ends of the scales in terms of students within this population, special education is receiving over \$77 million and the gifted and talented is less than 3%. There is a gross error in this thinking across the state.

Rep. Witt asked if they are asking for \$350,000 per year.

Rep. Sommerville answered that is correct.

Rep. Witt asked, if this bill passes, would it be a million dollars.

Rep. Sommerville answered that it would be approximately \$827,000.

Rep. Witt asked if they receive \$150,000 now for these programs.

Rep. Sommerville answered that, yes, they do.

Rep. Witt asked if there are any federal monies available to the state.

Rep. Sommerville answered that no, not for gifted and talented but the special education receives monies.

{Tape : 2; Side : A; Approx. Time Counter : 5}

Rep. Peterson asked how they identify these students, from IQ or other ways.

Beth Kennedy answered that in her district the students can be identified by a teacher, parents, or themselves. Once referred, they do IQ testing on them and use achievement testing in both reading and math, a teacher rating form and information from the parents.

Rep. Peterson asked if they take into account emotional intelligence in examining these students early on, and if it is part of their training or purely an intellectual exercise.

Beth Kennedy answered that in their school district, due to lack of funding they have chosen to focus on general intellectual ability and academic ability. She stated that they do write a modification plan with the student, parent and teacher and many things are talked about as possibilities for students which they write down in their modification plans.

Rep. Peterson commented that his point is that many scholars argue that pure intellectual achievement is not the key point in leadership and asked what is available on the Web to challenge the gifted and talented students.

Beth Kennedy answered that there are things offered, in particular a math program, however there is a cost to it.

Rep. Fisher asked what is it about the personality of a gifted and talented child that they cannot accept the pace of the classroom.

Beth Kennedy answered that the students have a drive from somewhere inside of them and they beg and cry to learn more.

Rep. Fisher commented that the Federal Government mandates special education. Why can't they mandate for these fast learners and what are they doing to get federal funds.

Beth Kennedy answered that maybe lawsuits will bring out more funding.

Toba Winston spoke to Rep. Fisher about some of the things he had talked about earlier.

Rep. Fisher made a comment back to Toba Winston about achieving a balance in their lives.

Toba Winston commented that her daughter does a lot of extra-curricular activities to find balance with her education.

Rep. Kauffman asked why there is such a big disparity between funding for special education versus funding for gifted and talented.

Bill Cooper answered that there are huge commitments to special education on all levels but that if the Office of Public Instruction would spend a little more for the gifted and talented from a state level, it would make sense.

Rep. Sommerville closed on HB 536.

{Tape : 2; Side : B; Approx. Time Counter : 17.8}

MOTION:

Rep. Vick started the motion on HB 214.

Taryn Purdy informed the committee about Rep. Lewis' conceptual amendment.

Rep. Vick stated that Rep. Lewis stated he would drop the amendment.

Rep. Vick then stated that this executive action had been left open from the day before and so the committee will move forward on HB 214.

Rep. McCann asked Rep. Vick if he extended the effective date.

Rep. Vick told Rep. McCann of the changes.

Rep. McCann asked if there would be a fiscal impact this biennium.

Rep. Vick stated that there would be a fiscal impact and explained it to the committee.

VOTE: Motion carried 17-1 with Rep. Jayne voting no.

{Tape : 2; Side : B; Approx. Time Counter : 25}

MOTION:

Rep. Clark moved do pass on HB 48.

DISCUSSION:

Rep. Clark offered an amendment.

DISCUSSION OF AMENDMENT:

Taryn Purdy explained the amendment to the committee.

Rep. Clark explained why she felt this amendment was needed.

Rep. Buzzas discussed figures from the amendment that was proposed.

Rep. Lindeen had questions for Rep. Clark regarding more workload issues.

Rep. Clark answered Rep. Lindeen's question about the amendment.

Taryn Purdy made another comment on the amendment and explained it to the committee.

Rep. Jayne asked how the cost of the amendment went down so much.

Rep. Clark answered.

VOTE ON AMENDMENT:

AMENDMENT PASSED 17-1 WITH REPRESENTATIVE JAYNE VOTING NO.

MOTION:

Rep. Clark moved HB 48 do pass as amended.

Rep. McCann made comments on HB 48, but had questions on why they needed the money now for HB 48.

Rep. Clark replied to Rep. McCanns comments.

Rep. McCann asked what the \$14,000 in equipment and supplies was going to be used for.

Rep. Clark answered: a place to work, a desk.

{Tape : 3; Side : A; Approx. Time Counter : 5.2}

Rep. Lindeen shared her thoughts with the committee on HB 48.

Rep. Clark made a comment that the study was brought about by the Senate on Joint Resolution 9.

Rep. Vick maked comments on HB 48.

Rep. Haines asked if there is a state contracting officer anywhere in the State.

Rep. Clark answered that there is State contracting but different departments also do their own.

Rep. Haines asked if the intent of this bill is to override all contracting costs, all agencies.

Rep. Clark stated that her intent was to have someone who would coordinate between the technical and the legal.

Rep. Haines asked a similar question and made comments to Rep. Clark's answers.

Rep. Clark requested additional information to answer Rep. Haines question.

Taryn Purdy commented on the question from Rep. Haines.

{Tape : 3; Side : A; Approx. Time Counter : 9.5}

VOTE:

MOTION TO DO PASS AS AMENDED HB 48 FAILED 2-16.

MOTION:

Rep. McCann moved to table HB 48.

VOTE:

MOTION TO TABLE HB 48 CARRIED 16-2.

ADJOURNMENT

Adjournment: 4:45 P.M.

REP. STEVE VICK, Chairman

PAULA BROADHURST, Secretary

SV/PB